

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT



WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

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|--|--|--|--|
| Applicant's or agent's file reference see form PCT/ISA/220 | | FOR FURTHER ACTION See paragraph 2 below | |
| International application No. PCT/JP2004/005631 | International filing date (day/month/year) 20.04.2004 | Priority date (day/month/year) 24.04.2003 | |
| International Patent Classification (IPC) or both national classification and IPC H04M1/2745, H04M1/725 | | | |
| Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO. LTD. | | | |

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2004/005631

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - a sequence listing
 - table(s) related to the sequence listing.
 - b. format of material:
 - in written format
 - in computer readable form
 - c. time of filing/furnishing:
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2004/005631

Box No. II Priority

1. The following document has not been furnished:

- copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

| | | |
|-------------------------------|-------------|------|
| Novelty (N) | Yes: Claims | 1-15 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1-15 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1-15 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/JP2004/005631

The following documents are referred to in this communication:

- D1 : US 2002/119768 A1 (MATSUMOTO FUMIAKI ET AL) 29 August 2002 (2002-08-29)
D2 : EP 0 895 393 A (SAMSUNG ELECTRONICS CO LTD) 3 February 1999 (1999-02-03)

Re Item V.

- 1 Document D1, which is considered to represent the most relevant state of the art, discloses (the references in parenthesis applying to this document):

A mobile terminal apparatus (fig. 1, ref. 100) comprising :
a second acquisition section for identifying a communication device communicating with the mobile terminal apparatus (see paragraph 121 : ref. 105 - caller ID extraction),
a communication processing section operable to perform a communication (see paragraph 121 : ref. 105),
a determination section for determining an interruption in the communication (see paragraphs 92-94),
a generation section for generating interruption information and a storage section (see paragraphs 85-86: notepad control unit),
a display section (fig. 2, ref. 108).

- 1.1 From this, the subject-matter of independent claim 1 differs in that D1 neither discloses an acquisition section for acquiring "resume information" concerning an application which is being executed, nor a reactivation section for reactivating the application after the communication has been resumed.

The subject-matter of claim 1 is therefore novel (Article 33(2) PCT)

- 2 The problem to be solved by the present invention may be regarded as:
When performing an automatic redialling, the user of a mobile terminal may not remember why the mobile terminal is performing the automatic redialling.

The solution to this problem, proposed in claim 1 of the present application, is considered as involving an inventive step (Article 33(3) PCT) for the following reason:

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AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/JP2004/005631

No available prior art document suggests or hints at providing an acquisition section for acquiring "resume information" concerning an application which is being executed and a reactivation section for reactivating the application after the communication has been resumed.

This solution has the advantage that the context at the time of the interruption of the communication is presented to the user prior to redialling.

- 3 Similar reasoning can be applied to corresponding independent claims 12, 13 and 15. The subject-matter of said claims is therefore also considered to be novel and inventive.
- 4 Claims 2-11 and 14 are dependent on claim 1 or 13 and as such also meet the requirements of the PCT with respect to novelty and inventive step.
- 5 The subject-matter of independent claims 1, 12, 13 and 15 has an industrial applicability.

Re Item VII.

- 1 Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D2 is not mentioned in the description, nor are these documents identified therein.
- 2 Independent claims 1, 12, 13 and 15 are not in the two-part form in accordance with Rule 6.3(b) PCT.
- 3 The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

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International application No.

PCT/JP2004/005631

Re Item VIII.

- 1 The terms "communication related to the application", "resume information" and "is instructed to be resumed" used in the independent claims are unclear and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claims unclear, Article 6 PCT.